

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)
Plaintiff,) NO. CR-09-075-LRS-6
v.) **ORDER GRANTING**
MAYRA GUTTIERREZ ZUNIGA,) **28 U.S.C. § 2255 PETITION**
Defendant.)

BEFORE THE COURT is Defendant's 28 U.S.C. § 2255 Petition For Relief Under 28 U.S.C. § 2255 (ECF No. 657). A hearing was held on July 19, 2011. Defendant was present in person, along with her counsel, Jeffry K. Finer, Esq.. Aine Ahmed, Esq., participated telephonically.

For the reasons stated by the court during the hearing, including the fact the Government does not oppose granting the relief requested, the court finds Defendant's petition is timely and her sentence was imposed in violation of the Constitution of the United States. Accordingly, Defendant's Petition (ECF No. 657) is **GRANTED**. The Amended Judgment (ECF No. 529) filed June 25, 2010 is hereby **VACATED** and the Defendant will be re-sentenced and a new Judgment entered.

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ORDER GRANTING
28 U.S.C. § 2255 PETITION-

IT IS SO ORDERED. The District Court Executive is directed to enter this order and to provide a copy to Defendant's counsel.

DATED this 19th day of July, 2011.

s/Lonny R. Suko

LONNY R. SUKO
United States District Judge